

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2022, LEGISLATIVE DAY NO. 14
August 1, 2022 6:00 P.M.

A. The meeting was called to order by Councilman Quirk serving as Chariman Pro Tem at 6:02 P.M. Due to continued COVID-19 concerns, in lieu of in-person appearances in the Council Chambers, the meeting was convened via Webex teleconference. The Chair asked the participants to pause for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 44 persons via teleconference in attendance and the following Councilmembers were present:

TOM QUIRK
IZZY PATOKA
WADE KACH
JULIAN E. JONES
DAVID MARKS
CATHY BEVINS
TODD CRANDELL

FIRST DISTRICT
SECOND DISTRICT
THIRD DISTRICT
FOURTH DISTRICT
FIFTH DISTRICT
SIXTH DISTRICT
SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilman Marks, seconded by Councilwoman Bevins, the reading of the Journal Entries for the meeting of July 5, 2022 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

Councilman Quirk stated that the following Bills were passed by the County Council and signed by the County Executive. He certified and delivered to the Secretary, Bills 41-22 and 47-22.

D. INTRODUCTION OF BILLS

Bill 53-22, entitled An Act for the purpose of amending the 2022-2023 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from state funds and made available to the County through the State of Maryland Office of the Governor Opioid Operational Command Center.

Bill 54-22, entitled An Act for the purpose of amending the 2022-2023 Current Expense Budget, by appropriating to the Gifts and Grants Special Revenue Fund monies derived from repaid principal funds plus interest and fees.

Bill 55-22, entitled An Act for the purpose of increasing the compensation of the County Executive for the term of office to begin in December 2022; and generally relating to the compensation of the County Executive.

Bill 56-22, entitled An Act for the purpose of increasing the compensation of the members of the County Council in accordance with the required recommendation of the Personnel and Salary Advisory Board for the term of office to begin in December 2022; repealing a previously-enacted cap on Councilmember pensions; and generally relating to the compensation and retirement benefits of the County Council.

Bill 57-22, entitled An Act for the purpose of exempting certain facilities and restaurants from certain water buffer regulations; providing for certain pre-existing accessory structures to remain or be replaced; permitting such pre-existing accessory structures to be enlarged by a certain percent of their footprint; providing for conflicts of certain Code sections or zoning regulations; and generally relating to Chesapeake Bay Critical Areas Protection.

Bill 58-22, entitled An Act for the purpose of amending the Baltimore County Zoning Regulations in order to permit university based retirement communities as a matter of right in certain zones, subject to certain conditions and limitations; and generally relating to university based retirement communities.

Bill 59-22, entitled An Act for the purpose of amending the Baltimore County Zoning Regulations in order to permit veterans housing and treatment campuses as a matter of right in certain zones, subject to certain conditions and limitations; and generally relating to veterans housing and treatment campuses.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 48-22, CEB – Continuum of Care, was called. Terry Hickey testified. There being no discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Bill 49-22, CEB – State DHCD ERAP2, was called. Terry Hickey testified. There being no discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Bill 50-22, Opioid Abatement Fund, was called. Lawrence Richardson testified. Councilman Kach moved to amend this Bill with the following amendment:

1. On page 4, at the beginning of line 11, insert “(A)”; after line 16, insert the following:

“(B) ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DIRECTOR OF HEALTH AND HUMAN SERVICES OR THE DIRECTOR’S DESIGNEE SHALL SUBMIT TO THE COUNTY COUNCIL AN ANNUAL REPORT OUTLINING FOR THAT YEAR THE DISTRIBUTIONS TO THE COUNTY UNDER THE SETTLEMENT AGREEMENT AND ANY OTHER FUNDING DESIGNATED AND PROVIDED BY THE COUNTY UNDER THIS TITLE, AND AN ACCOUNTING OF HOW THE FUNDS HAVE BEEN ALLOCATED AND SPENT DURING THAT YEAR.”

Councilwoman Bevins seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Thereafter, upon motion by Councilman Kach, seconded by Councilwoman Bevins, Bill 50-22, as amended, passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Bill 51-22, Development – Review and Approval Process – Limited Exemptions, was called. All councilmembers commented. Councilman Kach moved to amend this Bill with the following amendments:

1. On page 2, in line 11, after “DIRECTOR” insert “OF THE DEPARTMENT”; in line 16, strike “MAY” and substitute “SHALL” and strike “A STAFF” and substitute “AN OPEN”; in line 17, strike “APPROVING” and substitute “COUNTY”; in line 20, after “(3)” insert “A REQUEST FOR A LIMITED EXEMPTION FOR A COMMERCIAL OR INDUSTRIAL DEVELOPMENT UNDER SUBSECTIONS (A)(1)(VI) OR (B)(8) OF THIS SECTION SHALL COMPLY WITH THE FOLLOWING:”; in line 20; after “(I)” strike “A STAFF” and substitute “AN OPEN”; in line 21, after “30 DAYS” insert “NOR LATER THAN 60 DAYS”.

2. On page 3, in line 2, strike “STAFF” and substitute “OPEN”; in line 6, before “MEETING” insert “OPEN”; in line 7, strike “ON” and substitute “PRIOR TO”; in line 8, strike “POSTING” and substitute “OPEN MEETING”; in line 16, strike “STAFF” and substitute “OPEN”; in line 21, strike “A STAFF” and substitute “AN OPEN”; in line 22, after “RECEIVE” insert “COUNTY AGENCY”.
3. On page 4, in line 5, strike “STAFF” and substitute “OPEN”; in line 12, strike “A STAFF” and substitute “THE OPEN”; strike from “BY FILING” in line 17 through the end of line 22 and substitute “IN ACCORDANCE WITH § 32-3-401 OF THIS CODE.”

Councilman Quirk seconded the motion and these amendments passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Councilman Kach also had an amendment to Bill 51-22 but after further discussion decided to withdraw it prior to moving the amendment.

Thereafter, upon motion by Councilman Jones, seconded by Councilman Patoka, Bill 51-22, as amended, passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Bill 52-22, Zoning Regulations – Changeable Copy Signs, was called. Councilmembers Kach and Marks commented. Councilman Marks then motioned to extend the Bill to be discussed at the Work Session on Tuesday, August 30, 2022 and Final Reading and Vote to occur at the Legislative Session on Tuesday, September 6, 2022. Councilman Quirk seconded the motion and Bill 52-22 was extended by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

F. APPROVAL OF FISCAL MATTERS

Councilman Quirk stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on July 26, 2022. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chairman Jones then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 10, 12 and 13. Fiscal Matter 11 was discussed separately.

1. Contract of Sale-Fox Springs Farm, LLC-Acquisition-Conservation Easement-14624 Old Hanover Road- Piney Run Rural Legacy Program-PLANNING

A contract of sale with Fox Springs Farm, LLC, to acquire a perpetual conservation easement, located at 14624 Old Hanover Road, under the Piney Run Rural Legacy Program.

2. Contract-McKennon, Shelton & Henn, LLP-Legal Services-Bond Counsel - OBF

A contract with McKennon, Shelton & Henn, LLP, to provide legal services for bond counsel. The contractor will provide experienced attorneys as needed to serve as bond, disclosure and tax counsel to Baltimore County.

3. Contract-Bibliotheca-Bibliotheca Radio Frequency Identification (RFID) products - OIT

A contract with Bibliotheca, to provide licenses, support and equipment for Bibliotheca Radio Frequency Identification (RFID) products currently used in Baltimore County Public Libraries. BCPL customers are able to use the bibliotheca products to self-checkout, access electronic card catalog, view media availability, and perform other electronic actions at the kiosks located within each branch.

4. Contract of Sale-Leadership Through Athletics, Inc. - Acquisition of parcel-2900 Hammonds Ferry Road, 21227-REC

A contract of sale with Leadership Through Athletics, Inc., to acquire a parcel of land located at 2900 Hammonds Ferry Road, Baltimore, Maryland 21227, to be maintained as active recreation space.

5. Contracts-(2)-On-call stormwater repair, maintenance and inspection services - DEPS

Two contracts with Apex Companies, LLC and Ecotone, LLC, to provide on-call stormwater repair, maintenance and inspection services on an as-needed basis for Baltimore County.

6. Contract-BayLand Consultants & Designers, Inc. - On-call submerged aquatic vegetation (SAV)/waterway dredging design services - DEPS

A contract with BayLand Consultants & Design, Inc., to provide on-call submerged aquatic vegetation (SAV) and waterway dredging design services.

7. Contracts-(5)-On-call landscape architect and civil engineering services-PM

Five contracts to provide on-call landscape architect and civil engineering services on an as-needed basis for Baltimore County.

8. Contract-Legacy Manor, LLC-Assisted Living Care Services - AGING

A contract with Legacy Manor, LLC, to provide assisted living care services for individuals 62 years of age or older who meet income and eligibility requirements.

9. Contracts- (21)-Assisted living care services-AGING

Twenty-one contracts to provide assisted living care services for Baltimore County residents 62 years of age or older who meet income and eligibility requirements. Services provided include: twenty-four hour, seven days per week on-site supervision, three meals per day and evening snack, personal services, and housekeeping and laundry services.

10. Contract- Duke's Root Control, Inc.-Sanitary sewer pipe chemical root control treatments-DPWT

A contract with Duke's Root Control, Inc., to provide sanitary sewer pipe chemical root control treatments within the boundaries of Baltimore County.

12. Contract-RJN Group-Sewer and water pressurized main condition assessment services - DPWT

A contract with RJN Group, to provide sewer and water pressurized main condition assessment services.

13. Amendment #2 to Contract – Support/maintenance – Public Safety P25 communication system-OIT

Amendment #2 to the contract with Motorola Solutions, Inc., to increase the total compensation amount and extend the term to August 31, 2023, with five one-year extensions. The contractor will continue to provide support and maintenance for the public safety P25 communication system.

Councilman Quirk commented. There being no further discussion, upon motion by Councilman Marks, seconded by Councilman Quirk, Fiscal Matter 1 through 10, 12 and 13 were unanimously approved.

Councilman Quirk then called upon the Secretary to read the cover letter for Fiscal Matter 11.

11. Contracts-(2)-On-call sanitary sewer rehabilitation design services-DPWT

Two contracts with Johnson, Mimiran & Thompson, Inc. and Rummel, Klepper & Kahl, LLP, to provide tier 2 on-call sanitary sewer rehabilitation design services on an as-needed basis for Baltimore County. Councilman Patoka commented. There being no further discussion, upon motion by Councilman Kach, seconded by Councilman Jones, Fiscal Matter 11 was approved by the following roll call vote:

Aye - Quirk, Kach, Jones, Marks, Bevins, Crandell
Nay – None
Abstain - Patoka

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of Councilman Quirk, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during June, 2022.

2. Res. 27-22 – Review of PUD-Ridgedale

At the direction of Councilman Quirk, the Secretary read this Resolution of the Baltimore County Council to approve the review of a proposed Planned Unit Development in accordance with County law. Councilwoman Bevins commented then moved to amend this Resolution with the following amendment:

1. On page 2, in the first paragraph, in line 7, strike “Senior Center” and substitute “Volunteer Fire Company”.

Councilman Kach seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

Thereafter, upon motion by Councilwoman Bevins, seconded by Councilman Kach, Resolution 27-22, as amended, passed by the following roll call vote:

Aye - Quirk, Patoka, Kach, Jones, Marks, Bevins, Crandell
Nay – None

3. **Res. 28-22 – Review of PUD-The Residence at Southland Hills**

This Resolution was deferred to a later date.

4. **Res. 29-22 – Planning Board-Public Electric Vehicle Charging Stations**

This Resolution was withdrawn prior to the meeting.

5. **Res. 30-22 – Approval of grant-Baltimore County Fire Volunteer Stations - American Rescue Plan Act of 2021**

At the direction of Councilman Quirk, the Secretary read this Resolution to approve a grant to Baltimore County Fire Volunteer Stations from American Rescue Plan Act of 2021. Joanne Rund testified. Councilman Patoka commented. There being no further discussion, upon motion by Councilman Kach, seconded by Councilman Quirk, this Resolution was unanimously approved.

6. **Res. 31-22 – Department of Libraries-Authorization for expenditure of Non-Local Funds**

At the direction of Councilman Quirk, the Secretary read this Resolution concerning the Department of Libraries (Baltimore County Public Library) and the authorization for expenditure of non-local funds. Sonia Alcantara-Antoine testified. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

7. **Grants – FY2023 Arts and Sciences General Fund Grants**

At the direction of Councilman Quirk, the Secretary read this correspondence from the County Administrative Office, for FY2023 Arts and Sciences General Fund Grants. The funds will be used to support the arts and sciences available to all Baltimore County residents. Leonard Howie testified. There being no discussion, upon motion by Councilwoman Bevins, seconded by Councilman Quirk, these Grants were unanimously approved.

8. **Reappointment - Baltimore County Animal Hearing Board-Christine Decorse**

At the direction of Councilman Quirk, the Secretary read this correspondences from County Executive requesting the appointment of Christine Decorse to the Baltimore County Animal Hearing Board. Ms. Decorse is to be reappointed for an additional 2 year term expiring June 30, 2024. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Marks, this reappointment was unanimously approved.

9. Appointment - Baltimore County Agricultural Preservation Advisory Bd.-Rick Bernstein

At the direction of Councilman Quirk, the Secretary read this correspondences from County Executive requesting the appointment of Rick Bernstein to the Baltimore County Agricultural Preservation Advisory Board. Mr. Bernstein is to be appointed for a 5 year term expiring June 30, 2027. Councilmembers Patoka and Kach commented. There being no further discussion, upon motion by Councilman Crandell, seconded by Councilwoman Bevins, this appointment was unanimously approved.

10. Reappointment - Baltimore County Agricultural Preservation Advisory Bd.-Holly Gilmore

At the direction of Councilman Quirk, the Secretary read this correspondences from County Executive requesting the appointment of Holly Gilmore to the Baltimore County Agricultural Preservation Advisory Board. Ms. Gilmore is to be reappointed for a 5 year term expiring June 30, 2027. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Bevins, this reappointment was unanimously approved.

11. Appointment - Baltimore County Agricultural Preservation Advisory Bd.-Chair-Stephen Myer

At the direction of Councilman Quirk, the Secretary read this correspondences from County Executive requesting Steve Meyer to assume the role of Chair to the Baltimore County Agricultural Preservation Advisory Board. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Bevins, this appointment was unanimously approved.

12. Res. 32-22 –Department of Libraries – Authorization for expenditure of Non-Local Funds –IAMAW (International Association of Machinists and Aerospace Workers)

This Resolution was for introduction only.

13. Res. 33-22 –Compensation – County Administrative Officer

This Resolution was for introduction only.

14. Res. 34-22 –Approval of applications-Sale of development rights easements-Agricultural Land WI Preservation Foundation

This Resolution was for introduction only.

15. Res. 35-22 –Approval of applications-Sale of agricultural easements

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilwoman Bevins, seconded by Councilman Kach, the meeting was adjourned at 7:34 P.M.

A handwritten signature in black ink, reading "Thomas H. Bostwick", written over a horizontal line.

Thomas H. Bostwick
Legislative Counsel/Secretary